

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

the application of:

APPLICANTS: Mousseau et al.

TITLE: System and Method for Pushing Information from a Host System to a Mobile Data Communication Device

SERIAL NO.: 09/783,726

FILING DATE: February 14, 2001

EXAMINER: not yet assigned

GROUP ART UNIT: not yet assigned

ATTORNEY DOCKET NO.: 555255012190

RECEIVED

MAY 11 2001

Technology Center 2100
OFFICE OF PETITIONS
DEPUTY A/C PATENTS

HON. ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

**DECLARATION OF DAVID B. COCHRAN IN SUPPORT OF PETITION
TO MAKE SPECIAL BECAUSE OF ACTUAL INFRINGEMENT**

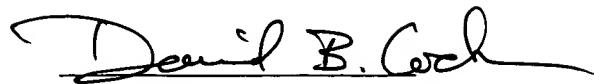
I, David B. Cochran, am the Attorney of Record in this case and make the following declarations:

1. There is an infringing device actually on the market and an infringing method in use.
2. I have made a rigid comparison of the alleged infringing device and method with the claims of the above referenced application. In my opinion, some of the claims are unquestionably infringed.
3. I have a good knowledge of the pertinent prior art. All such material art is already of record, having been filed in an Information Disclosure Statement.

I hereby certify that this correspondence is being deposited today with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on 5-1-2001

By: Deborah A. Satorian

Respectfully submitted,



David B. Cochran
Reg. No. 39,142
JONES, DAY, REAVIS & POGUE
901 Lakeside Ave.
Cleveland, Ohio, 44114

Date: 4/30/01